

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

MARCH 10, 2003

RESPONSIBLE STAFF:

City Manager's Office and
Planning & Code Administration
Presenting for Staff -Trudy Schwarz,
Community Planning Director

AGENDA ITEM:

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
X	Public Hearing **Joint**
	Historic District
	Consent Item
	Ordinance
	Resolution
	Policy Discussion
	Work Session Discussion Item
	Other:

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item
is a public hearing)

Introduced	
Advertised	01/29/2003
	02/05/2003
	02/08/2003
	02/12/2003
New hearing date	02/21/2003
	02/26/2003
Hearing Date	03/10/2003
Record Held Open	
Policy Discussion	

TITLE: Z-291(A)

Joint Public Hearing on Z-291(A), Map
Amendment for Hidden Creek Land Bay III

SUPPORTING BACKGROUND:

Hidden Creek I, LLC, Sandler at Hidden Creek LLC, Hidden Creek II, LLC and Churchill Development Corporation, ("applicants"), are requesting to amend the approved Zoning Map Amendment Application Z-291. by reducing the unit count from **727 dwelling units** (18 Single Family Detached, 146 Single Family Attached, 112 2-over-2 Condominium and 451 Multi-Family Apartment Units) to **457 dwelling units** (16 Single Family Detached, 325 Single Family Attached, and 116 2-over-2 Condominium Units) in accordance with §24-196 of the City Code (map amendments).

The subject property, known as Hidden Creek Land Bay III, is located east of Goshen Road, between Mid-County Highway and Girard Street and consists of approximately 56 acres. The subject property was part of the June 7, 1971 annexation resolution R-21-71 for X-096 authorizing the annexation of approximately 169 acres of land. On May 21, 2001, the Mayor and City adopted the Ordinance O-8-01 approving the map amendment application Z-291 to rezone the 56 acres of land known as Hidden Creek Land Bay III to the MXD (Mixed Use Development) Zone and a sketch plan depicting 727 dwelling units.

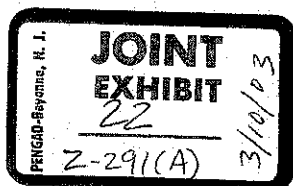
Following the joint public hearing, the application proceeds to the Planning Commission for a recommendation to the Mayor and Council. The application along with the Planning Commission's recommendation is forwarded to the Mayor and City Council for policy discussion, followed by the adoption of a resolution that incorporates the decision of the Mayor and City Council.

Attached:

List of Exhibits (Exhibits, in **Bold** are attached)

DESIRED OUTCOME:

Planning Commission Hold Record Open until March 20,
2003 (10 days)
Mayor and Council to Hold Record Open until April 1,
2003 (22 days)



Joint Public Hearing
Mayor and City Council
Planning Commission
February 18, 2003
March 10, 2003

INDEX OF MEMORANDA
Z-291(A)

No.

- 1) Letter requesting publication of the Legal Advertisement in the January 29, 2003 and February 5, 2003 edition of the *Gaithersburg Gazette*
- 2) Amended Sketch Plan, Land Use
- 3) Amended Sketch Plan, Green Area
- 4) Amended Sketch Plan, Internal Roads
- 5) Amended Sketch Plan, Circulation Systems
- 6) Letter requesting publication of the Legal Advertisement in the February 7-9, 2003 Weekend and February 12, 2003 edition of the *Gaithersburg Gazette*
- 7) **Mayor and City Council Ordinance O-8-01 approving application Z-291**
- 8) Notice of Public Hearing as sent to properties within 200' on February 10, 2003
- 9) Reduced version of Amended Sketch Plan, Land Use, Exhibit #2
- 10) **Application for Amendment to Zoning Map, Sketch Plan received Feb. 12, 2003**
- 11) Mayor and City Council Agenda Cover Sheet, February 18, 2003
- 12) Certified copy of the Notice of Public Hearing as it appeared in the February 7 & 12, 2003 issue of the *Gaithersburg Gazette*
- 13) **Notice of March 10, 2003 Public Hearing as sent to interested parties on February 19, 2003**
- 14) **List of persons notified for the March 10, 2003 Joint Public Hearing**
- 15) Certified copy of the Notice of Public Hearing as it appeared in the February 21, 2003 issue of the *Gaithersburg Gazette*
- 16) Receipt for the Fee for Application for Amendment to Zoning Map, Sketch Plan Z-291(A)
- 17) **Letter, received March 3, 2003, from Ms. Sears and Mr. Brown, Linowes & Blocher to the Mayor and City Council and the Planning Commission RE: Background of Hidden Creek**
- 18) Amended Sketch Plan, Land Use, 8.5" by 11"
- 19) Amended Sketch Plan, Green Area, 8.5" by 11"
- 20) Amended Sketch Plan, Internal Roads, 8.5" by 11"
- 21) Amended Sketch Plan, Circulation Systems, 8.5" by 11"
- 22) Mayor and City Council Agenda Cover Sheet, March 10, 2003

ORDINANCE NO. 0-8-01

AN ORDINANCE TO APPROVE MAP AMENDMENT APPLICATION Z-291, CONSISTING OF APPROXIMATELY 56 ACRES OF LAND KNOWN AS PARCELS D, E, F AND G AND FORMER MASTER PLANNED RIGHT-OF-WAY OF THE CASEY/GOSHEN TRACT, FROM E-1 (URBAN EMPLOYMENT) ZONE, C-2 (GENERAL COMMERCIAL) ZONE, R-A (LOW DENSITY RESIDENTIAL) ZONE AND R-18 (MEDIUM DENSITY RESIDENTIAL) ZONE TO THE MXD (MIXED USE DEVELOPMENT) ZONE, AND, FURTHER, TO APPROVE A SKETCH PLAN SUBMITTED, AS AMENDED, BEING PART OF THIS APPLICATION

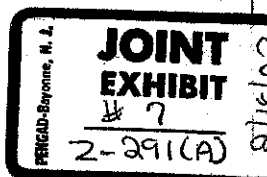
Z-291

BE IT ORDAINED, by the Mayor and Council of the City of Gaithersburg, in public meeting assembled, that they find the following facts from the evidence of record in the Zoning Map Amendment application Z-291.

1. This application, filed by Odyssey Development LLC ("applicant"), on behalf of the Betty Brown Casey Trust, is for the property identified as Parcels D, E, F, and G and former master planned right-of-way of the Casey/Goshen Tract (hereinafter referred to as the "Subject Property"). The Subject Property contains approximately 56 acres of land, and is located east of Goshen Road, between Mid-County Highway and Girard Street. The Subject Property is bounded on the south by Girard Street and Parcel N-182, on the west by Goshen Road, on the north by Mid-County Highway, Parcel 760 and Parcel 672, and on the east by Parcel 60 (which consists of a tributary to Whetstone Run and approximately 25 acres of existing City parkland), Parcel 210 and Parcel 260.

2. The Subject Properties were part of the June 7, 1971 annexation resolution R-21-71 for X-096 authorizing the annexation of approximately 169.0826 acres of land known as the Casey/Goshen Tract and affixing and establishing zoning. Ordinance O-16-81 approved comprehensive zoning map amendment application Z-223 reclassifying and establishing zoning and reducing the potential residential dwelling unit yield to 837 for the entire annexed properties. Resolution R-19-97 adopted an amendment to the general plan Neighborhood One amending map designations 1 and 5. A comprehensive zoning was last approved for the subject area in 1997 confirming the existing zoning of the property.

3. The Subject Property is located within Neighborhood One, Study Area 1: Map Designation 5 of the Master Plan. The Master Plan recommends that the parcels remain C-2, E-1 and R-18 unless rezoned to Mixed Use Development (MXD). The Master Plan re-designated Map Designation 5 as "commercial-office-residential on parcels D, E, and F will promote a mixed use development with retail uses around the existing Summit Shopping Center." A mix of residential units is envisioned for this area with "single-family



detached units encouraged to be developed along the stream valley buffer so as provide a buffer between the school and commercial development." These properties are included in the approved 837 unit count permitted for the Casey/Goshen Tract as per Ordinance O-16-81 that approved the comprehensive zoning map amendment application Z-223 establishing the existing zoning designations. The applicant is proposing 727 units for the subject properties, leaving a balance of 110 units to be used on the remaining designated areas of the annexed Casey/Goshen Tract.

4. The applicant, who is the contract purchaser of the Subject Property, is requesting a map amendment to rezone approximately 56 acres of land known as the Casey/Goshen Tract Parcels D, E, F, and G and former Master Planned right-of-way, in the City of Gaithersburg, from the existing E-1 (Urban Employment) Zone, C-2 (General Commercial) Zone, R-A (Low Density Residential) and R-18 (Medium Density Residential) Zone to the MXD (Mixed Use Development) Zone, per Section 24-196 of the City's zoning regulations.

5. As required by the provisions of the MXD Zone, the applicant has submitted a sketch plan consisting of "Sketch Plan Land Use", "Sketch Plan Green Area", "Sketch Plan Internal Roads", "Sketch Plan Circulation Systems" and "Sketch Plan Sharing" plans (collectively, "Sketch Plan") generally reflecting the location, type and intensity of forms of development, the location of proposed roads and pedestrian paths, important preservation and open space areas, areas to be devoted to public/private use and recreational facilities, as well as, depicting the boundaries of the site and adjacent/existing uses and facilities. The Applicant submitted an Amended Sketch Plan on January 19, 2001 ("Amended Sketch Plan"). The proposed development as reflected in the sketch plan as amended, for the Subject Property is eighteen (18) single-family detached dwelling units, one hundred forty six (146) single-family attached dwelling units, one hundred twelve (112) condominium two-over-two dwelling units, four hundred fifty one (451) multi-family dwelling units for a total of 727 dwelling units. The applicant is also proposing through this application for approval of the subject local map amendment and Amended Sketch Plan, off-site transportation improvements, vehicular and pedestrian connections to the adjacent/existing commercial area, off-site hiker/biker trails within the adjacent City parkland, no significant impact to the adjacent stream valley buffer, a bike lane along Mid-County Highway, traffic calming measures along Girard Street, streetscape improvements along Goshen Road, participation in the Art in Public Places program, two additional bus shelters and the dedication of Parcel G to the City.

6. The development shall be required to abide by the minimum location, development and parking standards and requirements of the MXD Zoning District.

7. A threshold consideration for rezoning requires the applicant to demonstrate either a change in the character of the neighborhood since the last comprehensive zoning or a mistake in the property's existing zoning. The existing zoning was confirmed by comprehensive zoning in 1997 following the adoption of the Neighborhood One Master Plan amendment. That master plan amendment which was the predicate and basis for the following comprehensive zoning adopted commercial-office-residential land use

zoning for the property. The master plan amendment recognized that development of the property was subject to an amended annexation agreement which allowed 837 dwelling units and permitted employment/commercial densities on the Casey - Goshen Tract, yet the comprehensive zoning in 1997 confirmed E-1 (employment), C-2 (general commercial) R-18 zoning and R-A zoning within formerly recommended rights-of-way instead of a zoning category which would have provided a mixed use development of the residential nature and density envisioned in the amended annexation agreement and master plan with proper controls. It was assumed during the adoption of the 1997 Neighborhood One Master Plan and subsequent comprehensive zoning action in Ordinance 0-10-97 that mixed use zoning would be appropriate for the subject property.

The MXD Zone was viewed as the zone that was most appropriate in light of the land area available to achieve the Master Plan density. Retention of the existing zoning by the City Council in Ordinance 0-10-97 was a basic and actual mistake. Reclassification to the MXD Zone and approval of the accompanying Amended Sketch Plan would with appropriate conditions to the sketch plan approval rectify that mistake and satisfy the terms of the annexation agreement.

8. A second required consideration for rezoning to the MXD classification is whether the application and accompanying plan meets or accomplishes the purposes, objectives and minimum standards of the zone pursuant to Section 24-160.10 of the City Code and any other relevant standards relating to approval of this classification in Section 24-160D generally. The City Council has reviewed the evidence of record and agrees with the recommendations of the Planning Commission and City Staff for approval of the application and sketch plan.

The City Council finds that the application meets the purposes, objectives and standards of the MXD Zone as set forth in Section 24-160D.1 of the City Code. The proposed zoning and development implements the land use and density recommendations of the master plan. The development will be staged in an orderly fashion to mitigate impacts on public facilities, particularly public schools. Design flexibility has been achieved in terms of site layout, amenities and housing product and design. The internal road and pathway system achieves an integrated, compatible connection between all site areas under consideration as well as nearby commercial uses. The use proposed is efficient and compatible internally and externally in terms of unit type and location and produces a circulation system and pedestrian linkages throughout the project to all housing units types, open space and amenity areas. Preservation of nature features has been achieved in a satisfactory fashion and will be subject to more detailed reviews in the land use process.

As previously stated the application is in accord with the 1997 Neighborhood One Master Plan and the sketch plan produces internally and externally compatible land use with existing and planned uses within this development and adjacent areas. The application and sketch plan provides for a mix of residential types and densities. The more intense areas of the site are located away from lower density residential development in adjacent areas yet reflect a mix of housing types which produce a visually interesting and integrated residential development. The City Council therefore concludes

that the evidence reflects that the application meets the findings required to approve the MXD classification.

9. The City Council further finds that the 1997 Neighborhood One Master Plan recommended mixed use development for the subject property and recommended future development for the subject property under the MXD Zone as the most appropriate classification for comprehensive planning and development of this property. The subject application and accompanying Amended Sketch Plan therefore conform to the recommendations in the area master plan.

10. The City Council has also considered the impacts of this application upon the public facilities serving this area. This applicant has proposed with the input of City staff and county and state transportation planning officials a series of traffic mitigation measures, including considerable public road improvements. With the implementation of these transportation improvements which will be imposed as binding elements and conditions of approval of the Amended Sketch Plan, the City Council finds from the evidence of record that the Transportation facilities will be adequate to handle traffic generated by the development proposed in the Amended Sketch Plan.

The final area of the public facilities inquiry pertains to the impact of this project on public school facilities serving this area. The type of project intended based on comparable projects elsewhere in the county reflect an overall lower pupil yield, than traditional developments. However, the area elementary school and high school reflect rated capacity problems.

To affirmatively address school capacity questions that have been raised by the Application, the applicant has proposed an acceptable program of phasing development to mitigate the effects on school facilities to attempt to coordinate this development with planned capital improvements by the school system to relieve these conditions. The Mayor and Council therefore find that the construction and occupancy of the 727 units approved as a part of the Application shall be conditioned and such conditions shall be applicable to the approved Amended Sketch Plan and all schematic plan(s) and final site plan(s) for the Project. The Mayor and Council further find that in imposing these conditions all applicable requirements concerning the adequacy and/or capacity of schools to serve the Project are deemed to be satisfied.

The Mayor and Council further find that the adherence by the Applicant to the conditions set forth in this approval shall permit the Applicant to obtain all necessary approvals and permits, including building and use and occupancy permits for the commencement, continued construction, full build-out and occupancy of the Project without the necessity for future inquiry into the issues of school adequacy and/or occupancy.

11. Based upon the evidence of record, the City Council finds that approval of the subject property for the MXD Zone will provide for a comprehensive and systematic

development of the City and would be in the public interest. Therefore application Z-291 is granted.

12. Based upon the evidence of record, the City Council further finds that approval of the accompanying Amended Sketch Plan subject to imposition and implementation of the following conditions relating to phasing and occupancy of units and transportation facility improvements by the applicant, would be in the public interest and is hereby approved.

PHASING PROGRAM

The approved phasing schedule for construction and occupancy of the 727 dwelling units shall be implemented as follows:

DWELLING UNIT CONSTRUCTION AND OCCUPANCY PHASING PLAN

	<u>Phase I</u>	<u>Phase II</u>	<u>Phase III</u>	<u>Phase IV</u>
18 SFD			18	
451 Multi-Family Apartments		226	225	
112 Condo's		40	40	32
146 TH's	24	48	36	38

- a. Construction may commence on all Phase I units immediately upon the issuance of building permits; however, no units constructed as part of Phase I shall be occupied prior to June 15, 2003.
- b. Construction may commence on all Phase II units and the Phase III Apartments on or after January 1, 2002; however, no units in Phase II or the Phase III Apartments may be occupied prior to June 15, 2003.
- c. Construction may commence on the remainder of the Phase III units on or after January 2, 2002; however, no single-family dwellings, townhouses or condominiums from Phase III may be occupied prior to January 1, 2004.
- d. Construction may commence on all Phase IV units on or after January 1, 2002; however, no Phase IV units may be occupied prior to January 1, 2005.
- e. Applicant may petition the Mayor and City Council for approval to accelerate the Dwelling Unit Construction and Occupancy Phasing Plan. To grant an accelerated Dwelling Unit Construction and Occupancy Phasing Plan, the Mayor and City Council must find that schools are or will be adequate to

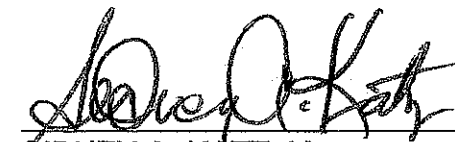
serve the Project under the proposed accelerated Dwelling Unit Construction and Occupancy Phasing Plan.

- f. Notwithstanding any actual future school construction or planned construction in the Gaithersburg Cluster, no further evaluations of school adequacy and/or capacity shall be required for full build-out and occupancy of the Project as long as the phasing plan provisions are met by the Applicant. The requirements of this phasing plan shall terminate upon the Applicant's completion and occupancy of Phase IV of this Project.
- g. The Applicant may proceed with clearing, grading, installation of the stormwater management, and other site preparation work and utility work on all or part of the property upon receipt of the required plan and permit approvals, and these activities are not intended to be conditioned or restricted by the Construction and Occupancy Phasing Plan.

TRANSPORTATION FACILITY IMPROVEMENT MEASURES.

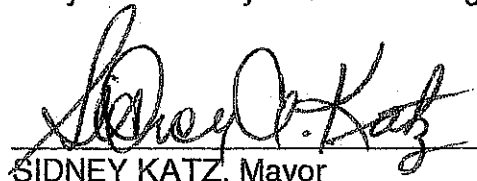
The Applicant shall undertake and complete all transportation facility improvements and actions stated in applicant's counsels letter to Jennifer Russell, Director of the City Planning and Code Enforcement Department dated May 7, 2001 as more fully detailed in Attachment 1 to such letter entitled "Hidden Creek Summary of Road Improvements Recommended by City and County" dated April 12, 2001 and Attachments 2(a), (b) and (c) to said letter of May 7, 2001 being collectively the consolidated recommendations from the Montgomery County Department of Public Works by letters dated October 26, 2000, December 11, 2001 and January 31, 2001 to planning and transportation officials of the City.

ADOPTED this 21st day of May, 2001 by the City Council of Gaithersburg, Maryland.



SIDNEY A. KATZ, Mayor
President of the Council

DELIVERED to the Mayor of the City of Gaithersburg, Maryland, this 21st day of May, 2001. APPROVED/~~VETOED~~ by the Mayor of the City of Gaithersburg, this 21st day of May, 2001.



SIDNEY KATZ, Mayor

THIS IS TO CERTIFY that the foregoing Ordinance was adopted by the City Council of the City of Gaithersburg, in public meeting assembled, on the 21st day of May, 2001 and that the same was approved by the Mayor of the City of Gaithersburg on the 21st day of May, 2001. This Ordinance will become effective on the 11th day of June, 2001.

A handwritten signature in black ink, appearing to read "D-B. Humpton", written over a horizontal line.

David B. Humpton, City Manager

AMENDMENT TO THE ~~ZONING MAP~~ APPROVED SKETCH PLAN CASE Z-291

In accordance with Chapter 24, Article VIII of the City Code

Application No. Z-	<u>291(A)</u>
Filing Date	<u>FEB 12, 2003</u>
Fee	
PC Hearing	<u>2/18/03</u>
PC Recommendation	
M & CC Hearing	<u>2/18/03</u>
Decision	
Date	

SUBJECT PROPERTY HIDDEN CREEK LAND BAY IIIAddress (if none, the location with respect to streets) 55.0± AC. SITE BORDERED BY GOSHEN RD, GIRARD ST. AND CITY PARK PROPERTY "PARCEL H".Lot _____ Block _____ Subdivision HIDDEN CREEK LAND BAY III

REQUESTED CHANGE

From the existing MXD Zone to the N/A Zone☐ Optional Method of Development (check if applicable)

*Note: The optional method is excluded from the RA Zone and the MXD Zone.

 APPLICANT(S) HIDDEN CREEK I, LLC, SANDER AT HIDDEN CREEK, LLC, HIDDEN CREEK II, LLC, CHURCHILL DEVELOPMENT CORP.,
 Address C/O CENTEX HOMES 9007 SHADY GROVE CT. GAITHERSBURG, MD 20877 Telephone 301-987-2259

 OWNER(S) HIDDEN CREEK I, LLC, SANDER AT HIDDEN CREEK, LLC, CHURCHILL DEVELOPMENT CORP., HIDDEN CREEK II, LLC.

 Address C/O CENTEX HOMES 9007 SHADY GROVE CT. GAITHERSBURG, MD 20877 Telephone 301-987-2259

TAX ASSESSMENT INFORMATION

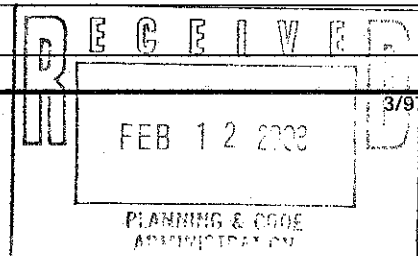
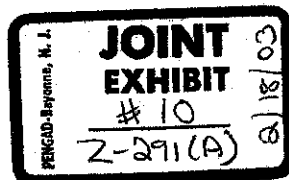
As shown on the tax docket of the State Department of Assessment and Taxation, Montgomery County, or on the Montgomery County, Maryland Real Estate Tax Bill.

DISTRICT SUBDIVISION	ACCOUNT NUMBER	LOT	BLOCK	ACRES/FEET	SUBDIVISION OR TRACT NAME
9-03346184	L-19393 F-190			35.04 AC.	HIDDEN CREEK, LAND BAY III
9-03346126	L-19393 F-190			0.18 AC.	" " " "
9-03346115	L-19393 F-190			0.0013 AC.	" " " "
9-03346137	L-19393 F-190			0.66 AC.	" " " "
9-03346172	L-19393 F-158			10.53 AC.	" " " "
9-03380240	L-21428 F-196			2.27 AC.	" " " "
9-03380251	L-21428 F-196			0.11 AC.	" " " "
9-03346161	L-19393 F-212			6.20 AC.	HIDDEN CREEK, LAND BAY III

List below the application numbers, date of filing, and actions taken on all applications filed within 3 years prior to this date for the reclassification of the whole or any part of the land above described.

APPLICATION #	DATE FILED	ACTION TAKEN
Z-291	8/13/00	REZONE FROM E-1, C-2, R-A, R-1B TO MXD ZONE

continued on reverse side.



SUBMISSION REQUIREMENTS

- **Map or plat** prepared by registered surveyor or engineer showing land and existing buildings for which the map amendment is sought, the bordering properties, streets and street names, lot and block designations, north arrow and key map, age and location of existing buildings, property size in acres/square feet. The area which is the subject of the application should be outlined in red. (10 copies)
- **Legal metes and bounds** of property
- **Fee** (see separate schedule)
- **List of names and addresses** of all property owners within 200 feet of any boundary of subject property
- **Statement** demonstrating a change in the neighborhood or a mistake in the Master Plan

If Optional Method submit also:

- **Schematic Development Plan** (which needs to include):
 - Uses of all buildings and structures
 - Location, height, dimensions of all buildings, structures, and parking areas, dimensions of all buildings
 - Location of points of access to site
 - Existing topography (contours of not more than 5-foot intervals) 100-year flood plains, and other natural features
 - Utility Easements
 - Natural Resource Inventory (See Environmental Standards)
- **Proposed Covenant**
- **Statements:**

Applicant proposes to limit uses on the subject parcel to the following: RESIDENTIAL DEVELOPMENT
TO INCLUDE 16 S.F. DETACHED UNITS, 330 S.F. ATTACHED UNITS, 116 2/2 CONDO'S. 2 SWM FACILITIES
ON-SITE ROADWAY IMPROVEMENTS, VARIOUS RECREATIONAL FACILITIES.
Applicant has submitted Schematic Development Plan which imposes the following limitations of development standards:
SEE UNDER SEPERATE COVEN. WAIVER REQUEST FOR ROAD CODE AND
ENVIRONMENTAL STANDARDS.

ADDITIONAL INFORMATION

Within five (5) days after filing the application, the applicant shall erect appropriate signs, posting notice of the requested zoning map amendment public hearing (per Section 24-196e of the City Code). The signs are made available to the applicant from the City staff and must remain posted until thirty (30) days after the decision on the application.

I have read and complied with the submission requirements and affirm that all statements contained herein are true and correct.

Applicant's Signature

Date

2.12.03

Owner's Signature

Date

2.12.03



Gaithersburg

A CHARACTER COUNTS! CITY

CITY OF GAITHERSBURG
31 South Summit Avenue
Gaithersburg, Maryland 20877
Telephone: 301-258-6330

NOTICE OF PUBLIC HEARING

The City of Gaithersburg Mayor and Council and Planning Commission will conduct a public hearing at the time and place noted below.

Meeting: PUBLIC HEARING
Application Type: AMENDMENT TO REZONING SKETCH PLAN
File Number: Z-291(A)
Location: GOSHEN ROAD AND ODEN'HAL AVENUE
Applicant: HIDDEN CREEK I LLC, SANDLER AT HIDDEN CREEK LLC,
HIDDEN CREEK II LLC, CHURCHILL DEVELOPMENT CORP
Development: HIDDEN CREEK LAND BAY III
Day/ Date/Time: MONDAY, MARCH 10, 2003
Place: COUNCIL CHAMBERS, GAITHERSBURG CITY HALL
31 SOUTH SUMMIT AVENUE

*****IMPORTANT*****

This application requests to amend the approved Zoning Map Amendment Application Z-291 sketch plan known as Hidden Creek Land Bay III in the Mixed-Use Development (MXD) Zone by reducing the unit count to 462 dwelling units (16 Single-Family Detached, 330 Single-Family Attached, and 116 2-over-2 Piggyback Condominium Units) on approximately 56 Acres of land. Contact the Planning and Code Administration City Staff (listed below) at 301-258-6330 if you should have any questions and/or to learn more about this process and your ability to offer testimony and input.

Joint Mayor and City Council and Planning Commission meetings can be viewed live on Gaithersburg Cable Television Channel 13, and at anytime (on demand) two weeks after the public hearing via the Internet and Web TV at <http://www.ci.gaithersburg.md.us>.

CITY OF GAITHERSBURG

By: *Trudy M. W. Schwarz* (MAY)
Trudy M. W. Schwarz, Community Planning Director
Planning and Code Administration

SEE LOCATION MAP ON REVERSE SIDE

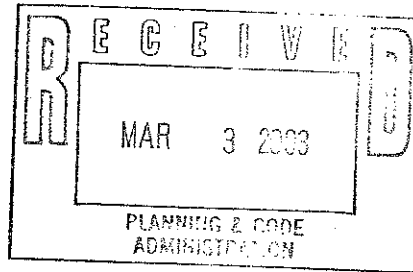


LINOWES AND BLOCHER LLP

ATTORNEYS AT LAW

1018 Wayne Avenue, Tenth Floor
Silver Spring, MD 20910-5600
301.588.8580
Fax 301.495.9044
Website: www.linowes-law.com

February 28, 2003



Barbara A. Sears
Todd D. Brown
301.650.7057
301.650.7113

Honorable Sidney Katz, Mayor
and Members of the City Council
City of Gaithersburg
31 South Summit Avenue
Gaithersburg, Maryland 20877

City of Gaithersburg Planning Commission
31 South Summit Avenue
Gaithersburg, Maryland 20877

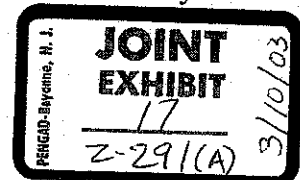
Re: Hidden Creek – Land Bay III

Dear Mayor Katz and Members of the City Council and City Planning Commission:

This office represents the owners and developers of Land Bay III of the Hidden Creek development (collectively, "Owners"). The purpose of this letter is to provide the Mayor and Council and the Planning Commission with a brief summary of the history of the project. We hope this background information will be helpful when considering the proposed alternative sketch plan and schematic development plan for Land Bay III ("Alternative Plans"). Please include this letter in the March 10, 2003 public hearing record.

On June 7, 1971, the City and Eugene B. Casey entered into an Annexation Agreement concerning approximately 170 acres of land ("Casey Property") located on the east side of Goshen Road north of Old Towne. Pursuant to the Annexation Agreement, the Casey Property was annexed into the City and zoned to permit 1,650 dwelling units and additional retail and employment uses. In 1981, the City rezoned the Casey Property to a classification which the City believes reduced the permitted density to 837 dwelling units for Land Bays I, II and III (see discussion below regarding Land Bays I and II) which form a portion of the Casey Property. Thereafter, pursuant to the Annexation Agreement in 1983 and 1991, respectively, the Casey Property owner conveyed approximately 10 acres of the property to the State Highway Administration at no cost for the construction of MidCounty Highway and approximately 26 acres of the property to the City at no cost for the Whetstone Run Stream Valley Park. A portion of the Casey Property was also acquired by Montgomery County Public Schools for the Forest Oak Middle School.

In 1997, Odyssey Development LLC ("Odyssey") entered into a contract with the Betty Brown Casey Trust to purchase portions of the Casey Property for development of 837 dwelling units in accordance with the Master Plan and the 1981 comprehensive rezoning. Odyssey filed MXD zoning application No. Z-291 and a proposed sketch plan for development of Land Bay III with



Honorable Sidney Katz, Mayor
and Members of the City Council
City of Gaithersburg Planning Commission
February 28, 2003
Page 2

727 dwelling units, comprised of 18 single-family detached units, 146 single-family attached units, 112 2/2 condominium units, and 451 rental apartments. Odyssey also filed Site Plan Application No. SP-01-0008 to develop Land Bays I and II, located north of MidCounty Highway, with 110 units, for a total residential density of 837 units. On May 21, 2001, the Mayor and Council adopted Ordinance No. 0-8-01 which rezoned Land Bay III to the MXD Zone and approved the proposed sketch plan for 727 units. The Planning Commission approved the site plan application for Land Bays I and II on August 22, 2001.

On July 13, 2001, Centex Homes, Inc. filed Schematic Development Plan Application No. SDP-01-006 ("SDP") for Land Bay III. The SDP application proposed development of Land Bay III with 727 units consistent with the approved sketch plan. However, on January 7, 2002, the City adopted Ordinance No. 0-1-02 which authorized the City Council to institute a 12-month deferral of all pending residential schematic development plan applications. On January 22, 2002, the City imposed the residential deferral on the SDP. The City also denied the Owners' request for an exemption from the deferral. The Owners then filed an administrative appeal challenging the City's actions. This lawsuit is pending.

While the development deferral was being implemented, the City conducted several Master Plan worksessions concerning proposed revisions to the Master Plan. During the worksessions, the City expressed its belief that the proposed development of Land Bay III was too dense, notwithstanding the density permitted by the Annexation Agreement, Ordinance No. 0-8-01 and the approved sketch plan. The City also recommended that rental apartments not be constructed on Land Bay III.

In an effort to resolve the ongoing disputes with the City concerning the development of Land Bay III, the Owners are negotiating an addendum to the Annexation Agreement and have prepared the Alternative Plans in anticipation that a final agreement will be reached with the City. The Alternative Plans are proposed by Owners as part of this effort and without prejudice or waiver of Owners' prior approved plans or positions related thereto. The Alternative Plans have been reviewed with the City Manager, City Attorney and other City Staff and are the subject of the March 10, 2003 joint public hearing. The Alternative Plans propose a 265 unit *reduction* in residential density on Land Bay III. In accordance with the City's desires, *the Alternative Plans do not include any apartments.*

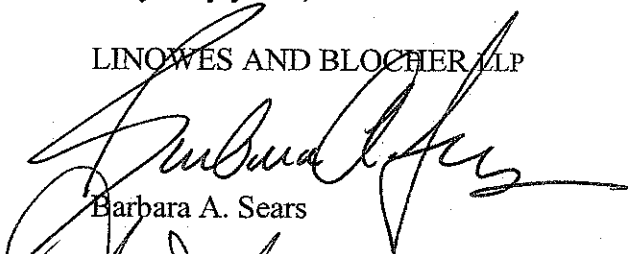
Honorable Sidney Katz, Mayor
and Members of the City Council
City of Gaithersburg Planning Commission
February 28, 2003
Page 3

To implement the development shown on the Alternative Plans, a waiver of certain road code, stream valley buffer and landscaping standards must be granted. Each waiver request is described in detail in the attached letter dated February 28, 2003 (Attachment 1). The road code waiver is consistent with the road code waiver previously approved by the Mayor and Council for Land Bay I and would also have been required to implement the development shown on the previously approved sketch plan for Land Bay III. Similarly, the stream valley buffer disturbance proposed by the Alternative Plans would also have occurred under the previously approved sketch plan. However, as a result of the reduced residential density and the revised design shown on the Alternative Plans, two sanitary sewer outfalls previously required within the stream valley buffer have been eliminated. Only a single sanitary sewer outfall is required to implement the Alternative Plans. The Owners also request a waiver of the technical requirement to provide "street trees" on all public streets. Street trees will be provided along public streets where sufficiently wide planting strips will exist. Ornamental trees will be provided along public streets where a narrower planting strip is provided. Either ornamental trees or street trees will be provided along all public streets.

We look forward to discussing this with the Mayor and Council and Planning Commission at the March 10, 2003 public hearing on the Alternative Plans. In the interim, if you have any questions, please do not hesitate to contact us.

Very truly yours,

LINOWES AND BLOCHER LLP



Barbara A. Sears

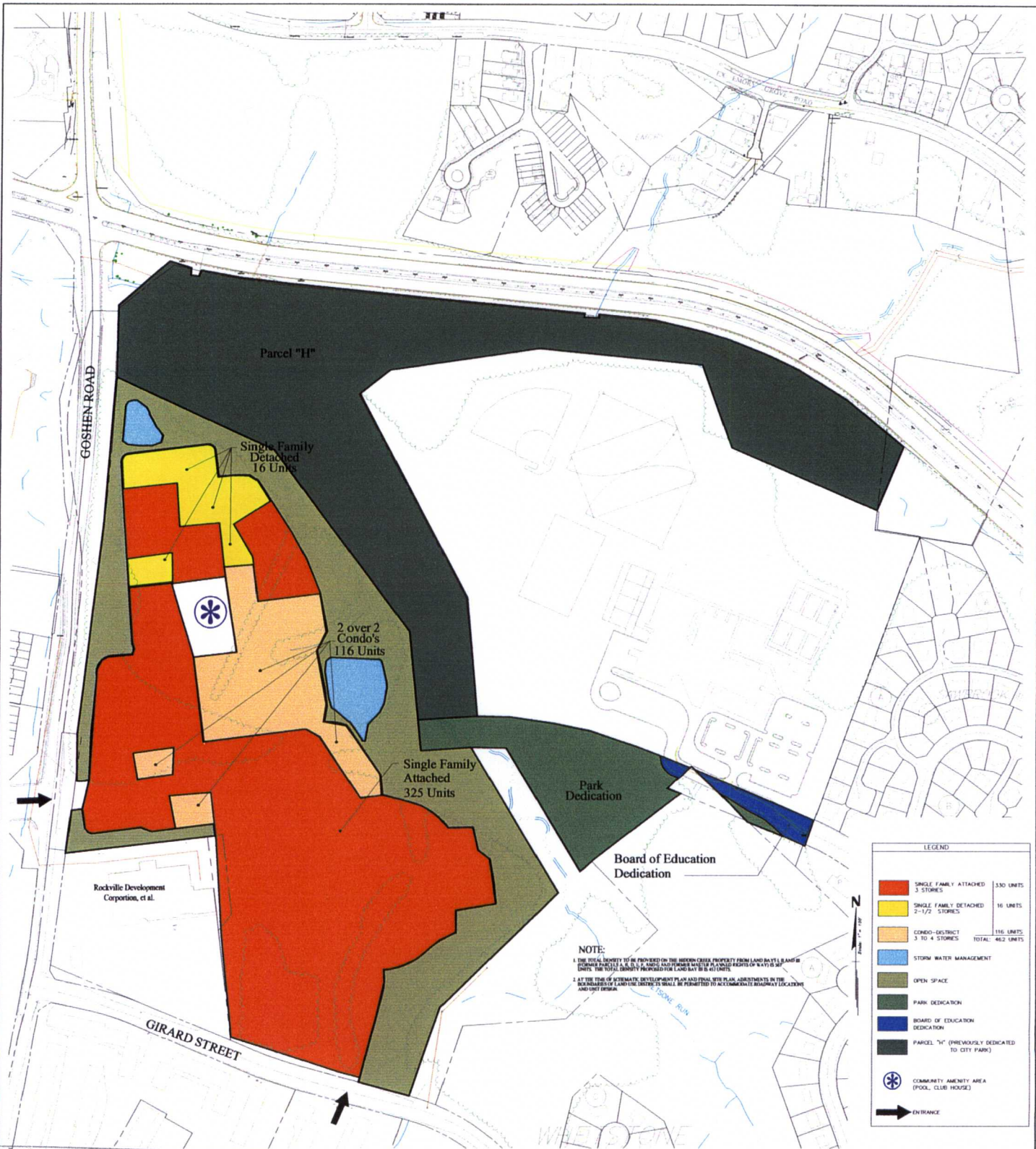


Todd D. Brown

Enclosure

Honorable Sidney Katz, Mayor
and Members of the City Council
City of Gaithersburg Planning Commission
February 28, 2003
Page 4

cc: Mr. David Humpton
Mr. Fred Felton
Ms. Trudy Schwarz
Mr. Howard Katz
Mr. Robert Larkin
Mr. Steven Sandler
Mr. Richard Braver
Mr. Thomas Hudson



NOTE:
 1. THE TOTAL DEDICATION TO BE PROVIDED ON THE ABOVE CENSUS PROPERTY FROM LAND BAY'S PLANT IS
 2. AT THE TIME OF SCHEMATIC DEVELOPMENT PLAN AND FINAL SITE PLAN, ADJUSTMENTS IN THE
 BOUNDARIES OF LAND USE DISTRICTS SHALL BE PERMITTED TO ACCOMMODATE ROADWAY LOCATIONS
 AND LOT SIZES.

LEGEND	
	SINGLE FAMILY ATTACHED 3 STORIES
	SINGLE FAMILY DETACHED 2-1 1/2 STORIES
	CONDO-DISTRICT 3 TO 4 STORIES
	STORM WATER MANAGEMENT
	OPEN SPACE
	PARK DEDICATION
	BOARD OF EDUCATION DEDICATION
	PARCEL "H" (PREVIOUSLY DEDICATED TO CITY PARK)
	COMMUNITY AMENITY AREA (POOL, CLUB HOUSE)
	ENTRANCE

**AMENDED SKETCH PLAN
 LAND USE**
 City of Gaithersburg, Maryland

*Hidden
 Creek*

R&A
 RODGERS & ASSOCIATES, INC.
 10000 ROCKVILLE PIKE, SUITE 100
 ROCKVILLE, MD 20850
 (301) 761-1000
 FAX (301) 761-1001
 WWW.RA-INC.COM

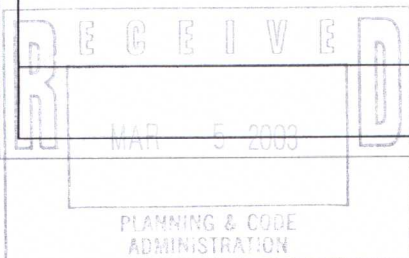
DATE: 03/04/03	BY: [Signature]
CHECKED: [Signature]	DATE: 03/04/03
SCALE: AS SHOWN	SHEET NO. 1 OF 1

RECEIVED
 MAR 5 2003
 PLANNING & CODE
 ADMINISTRATION



Ordinance 0-8-01 stipulations

1. This plan depicts only perimeter open space and areas for dedication as green area. The location and extent of internal green is shown on the Schematic Development Plan Amendment.
2. Total green area shown hereon does not include 25.52 acres previously dedicated to the City of Gaithersburg (Parcel "H") from the Casey Property for the Whetstone Stream Valley Park in accord with the annexation agreement.
3. Stormwater management facilities to be included in green area calculation.
4. Parcel "H" and areas to be dedicated by this plan shall be included as forest conservation cover for forest conservation computations as needed.
5. Reforestation/afforestation is permitted to occur on all land dedicated to the city. Dedications will be subject to reservation of necessary easements and other covenants and restrictions.



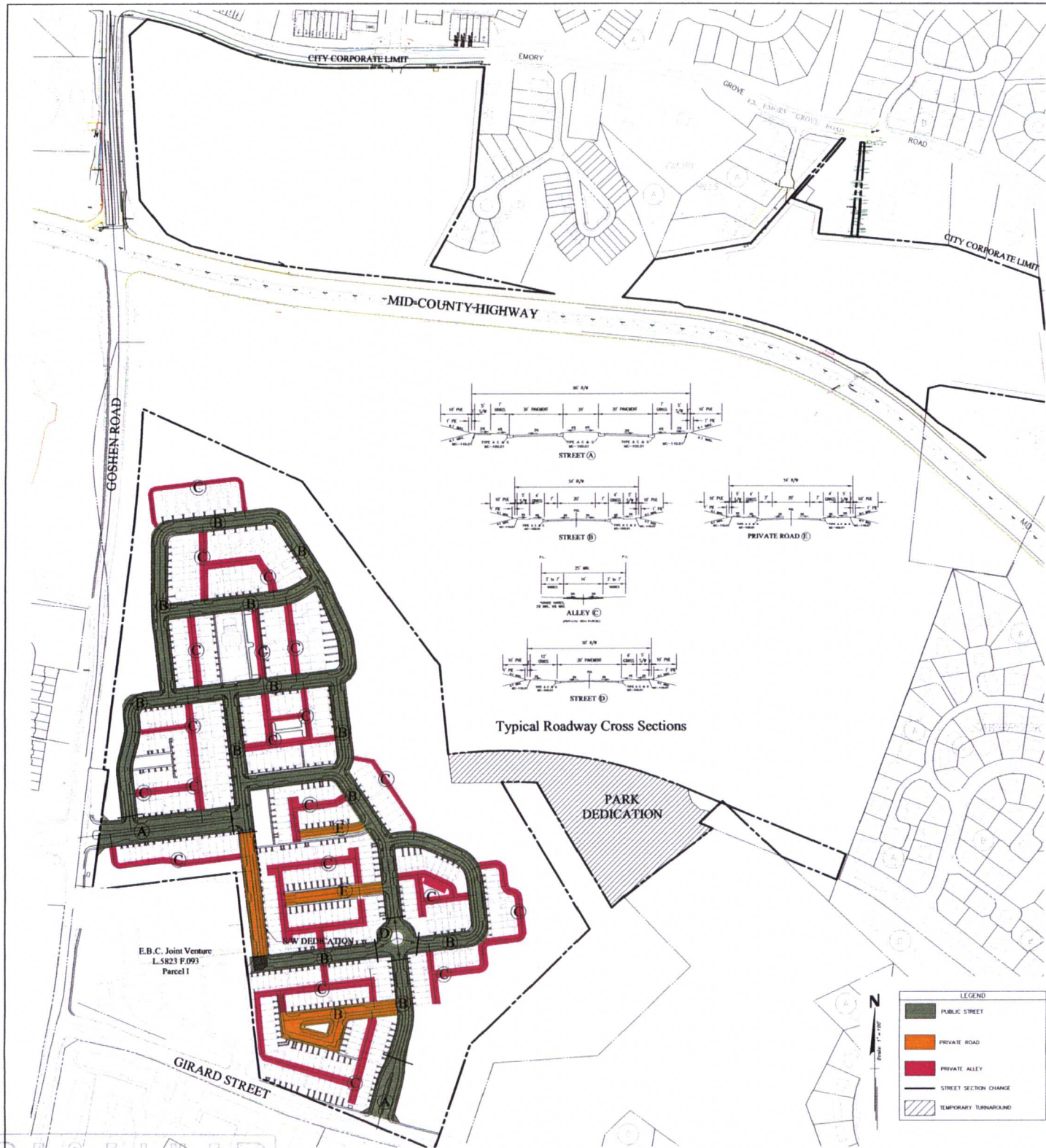
**AMENDED SKETCH PLAN
GREEN AREA**

City of Gaithersburg, Maryland

*Hidden
Creek*

R&A
RODERS & ASSOCIATES, INC.
10000 W. GAITHERSBURG ROAD, SUITE 100
GAITHERSBURG, MD 20878
(301) 251-1000
FAX (301) 251-1001
WWW.RA-INC.COM

DATE	BY	REV	DESCRIPTION
03/05/03	RA	1	ISSUED FOR PERMITTING
03/05/03	RA	2	REVISED TO ADD BOARD OF EDUCATION DEDICATION
03/05/03	RA	3	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	4	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	5	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	6	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	7	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	8	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	9	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	10	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	11	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	12	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	13	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	14	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	15	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	16	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	17	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	18	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	19	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	20	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	21	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	22	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	23	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	24	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	25	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	26	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	27	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	28	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	29	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	30	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	31	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	32	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	33	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	34	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	35	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	36	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	37	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	38	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	39	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	40	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	41	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	42	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	43	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	44	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	45	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	46	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	47	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	48	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	49	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	50	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	51	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	52	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	53	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	54	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	55	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	56	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	57	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	58	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	59	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	60	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	61	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	62	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	63	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	64	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	65	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	66	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	67	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	68	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	69	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	70	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	71	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	72	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	73	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	74	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	75	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	76	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	77	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	78	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	79	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	80	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	81	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	82	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	83	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	84	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	85	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	86	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	87	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	88	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	89	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	90	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	91	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	92	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	93	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	94	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	95	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	96	REVISED TO ADD PRIVATE OPEN SPACE
03/05/03	RA	97	REVISED TO ADD NEW PARK DEDICATION
03/05/03	RA	98	REVISED TO ADD SCHOOL DEDICATION
03/05/03	RA	99	REVISED TO ADD STORM WATER MANAGEMENT
03/05/03	RA	100	REVISED TO ADD PRIVATE OPEN SPACE



E.B.C. Joint Venture
L.5823 F.093
Parcel 1

AMENDED SKETCH PLAN INTERNAL ROADS

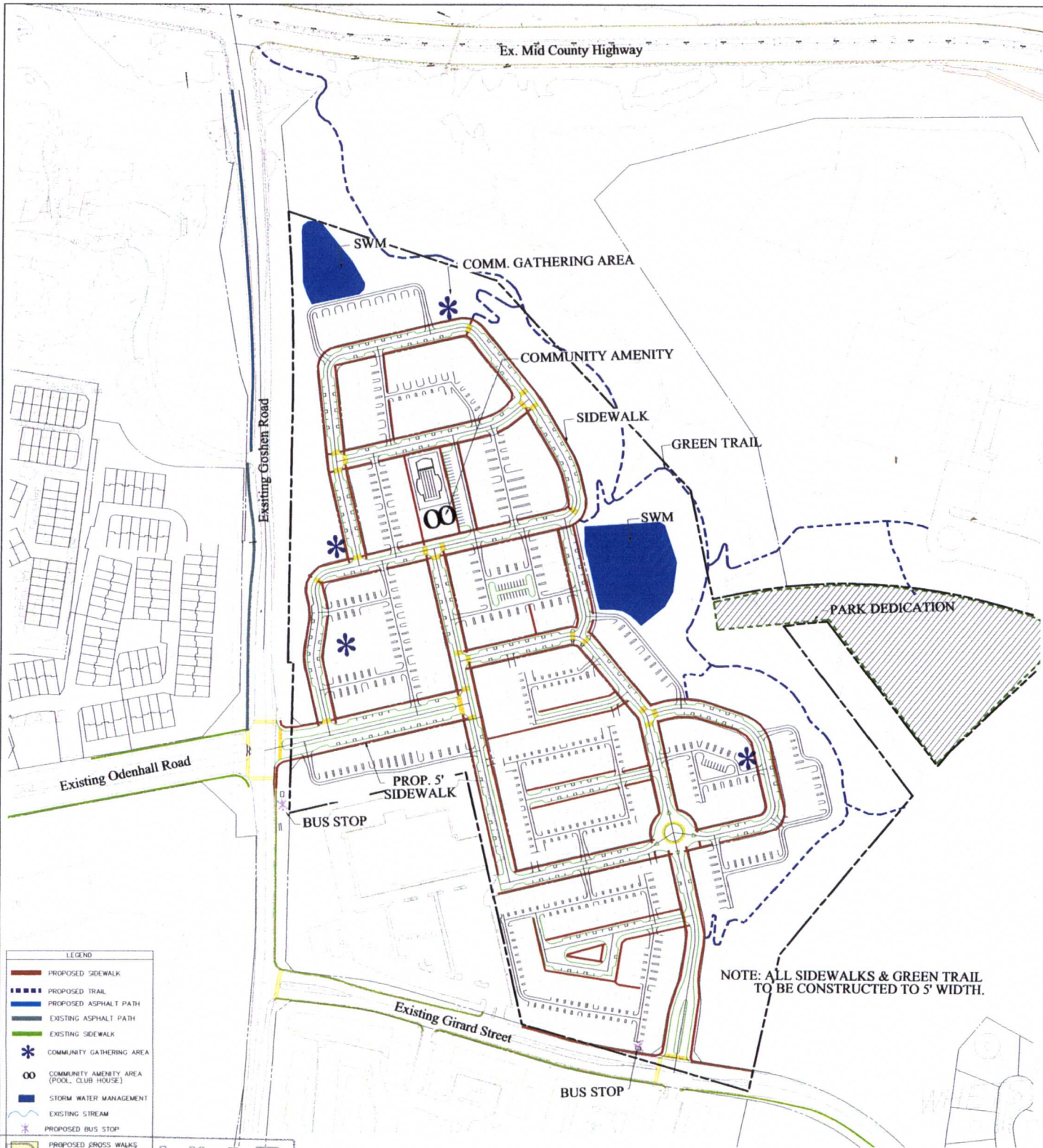
City of Gaithersburg, Maryland

*Hidden
Creek*

R&A
RODNEY & ASSOCIATES, INC.
10000 WOODBURN ROAD, SUITE 100
GAITHERSBURG, MD 20878
(301) 941-1000
FAX: (301) 941-1001
WWW.RANDASSOCIATES.COM

NO.	DATE	DESCRIPTION
1	01/11/01	PRELIMINARY
2	02/15/01	REVISED
3	03/15/01	REVISED
4	04/15/01	REVISED
5	05/15/01	REVISED
6	06/15/01	REVISED
7	07/15/01	REVISED
8	08/15/01	REVISED
9	09/15/01	REVISED
10	10/15/01	REVISED
11	11/15/01	REVISED
12	12/15/01	REVISED
13	01/15/02	REVISED
14	02/15/02	REVISED
15	03/15/02	REVISED
16	04/15/02	REVISED
17	05/15/02	REVISED
18	06/15/02	REVISED
19	07/15/02	REVISED
20	08/15/02	REVISED
21	09/15/02	REVISED
22	10/15/02	REVISED
23	11/15/02	REVISED
24	12/15/02	REVISED
25	01/15/03	REVISED
26	02/15/03	REVISED
27	03/15/03	REVISED
28	04/15/03	REVISED
29	05/15/03	REVISED
30	06/15/03	REVISED
31	07/15/03	REVISED
32	08/15/03	REVISED
33	09/15/03	REVISED
34	10/15/03	REVISED
35	11/15/03	REVISED
36	12/15/03	REVISED
37	01/15/04	REVISED
38	02/15/04	REVISED
39	03/15/04	REVISED
40	04/15/04	REVISED
41	05/15/04	REVISED
42	06/15/04	REVISED
43	07/15/04	REVISED
44	08/15/04	REVISED
45	09/15/04	REVISED
46	10/15/04	REVISED
47	11/15/04	REVISED
48	12/15/04	REVISED
49	01/15/05	REVISED
50	02/15/05	REVISED
51	03/15/05	REVISED
52	04/15/05	REVISED
53	05/15/05	REVISED
54	06/15/05	REVISED
55	07/15/05	REVISED
56	08/15/05	REVISED
57	09/15/05	REVISED
58	10/15/05	REVISED
59	11/15/05	REVISED
60	12/15/05	REVISED
61	01/15/06	REVISED
62	02/15/06	REVISED
63	03/15/06	REVISED
64	04/15/06	REVISED
65	05/15/06	REVISED
66	06/15/06	REVISED
67	07/15/06	REVISED
68	08/15/06	REVISED
69	09/15/06	REVISED
70	10/15/06	REVISED
71	11/15/06	REVISED
72	12/15/06	REVISED
73	01/15/07	REVISED
74	02/15/07	REVISED
75	03/15/07	REVISED
76	04/15/07	REVISED
77	05/15/07	REVISED
78	06/15/07	REVISED
79	07/15/07	REVISED
80	08/15/07	REVISED
81	09/15/07	REVISED
82	10/15/07	REVISED
83	11/15/07	REVISED
84	12/15/07	REVISED
85	01/15/08	REVISED
86	02/15/08	REVISED
87	03/15/08	REVISED
88	04/15/08	REVISED
89	05/15/08	REVISED
90	06/15/08	REVISED
91	07/15/08	REVISED
92	08/15/08	REVISED
93	09/15/08	REVISED
94	10/15/08	REVISED
95	11/15/08	REVISED
96	12/15/08	REVISED
97	01/15/09	REVISED
98	02/15/09	REVISED
99	03/15/09	REVISED
100	04/15/09	REVISED

PLANNING & CODE
ADMINISTRATION



- LEGEND**
- PROPOSED SIDEWALK
 - - - PROPOSED TRAIL
 - PROPOSED ASPHALT PATH
 - - - EXISTING ASPHALT PATH
 - EXISTING SIDEWALK
 - * COMMUNITY GATHERING AREA
 - ∞ COMMUNITY AMENITY AREA (POOL, CLUB HOUSE)
 - STORM WATER MANAGEMENT
 - - - EXISTING STREAM
 - * PROPOSED BUS STOP
 - PROPOSED CROSS WALKS

NOTE: ALL SIDEWALKS & GREEN TRAIL TO BE CONSTRUCTED TO 5' WIDTH.

RECEIVED

MAR 5 2003

PLANNING & CODE ADMINISTRATION

AMENDED SKETCH PLAN CIRCULATION SYSTEMS
City of Gaithersburg, Maryland

Hidden Creek

R&A
ROSENBERG & ASSOCIATES, INC.
10000 WILLOW CREEK DRIVE
GAITHERSBURG, MD 20878
TEL: (301) 948-4000
FAX: (301) 948-4004

NO.	DATE	DESCRIPTION
1	03/05/03	ISSUED FOR REVIEW
2	03/10/03	REVISED
3	03/15/03	REVISED
4	03/20/03	REVISED
5	03/25/03	REVISED
6	04/01/03	REVISED
7	04/05/03	REVISED
8	04/10/03	REVISED
9	04/15/03	REVISED
10	04/20/03	REVISED
11	04/25/03	REVISED
12	05/01/03	REVISED
13	05/05/03	REVISED
14	05/10/03	REVISED
15	05/15/03	REVISED
16	05/20/03	REVISED
17	05/25/03	REVISED
18	06/01/03	REVISED
19	06/05/03	REVISED
20	06/10/03	REVISED
21	06/15/03	REVISED
22	06/20/03	REVISED
23	06/25/03	REVISED
24	07/01/03	REVISED
25	07/05/03	REVISED
26	07/10/03	REVISED
27	07/15/03	REVISED
28	07/20/03	REVISED
29	07/25/03	REVISED
30	08/01/03	REVISED
31	08/05/03	REVISED
32	08/10/03	REVISED
33	08/15/03	REVISED
34	08/20/03	REVISED
35	08/25/03	REVISED
36	09/01/03	REVISED
37	09/05/03	REVISED
38	09/10/03	REVISED
39	09/15/03	REVISED
40	09/20/03	REVISED
41	09/25/03	REVISED
42	10/01/03	REVISED
43	10/05/03	REVISED
44	10/10/03	REVISED
45	10/15/03	REVISED
46	10/20/03	REVISED
47	10/25/03	REVISED
48	11/01/03	REVISED
49	11/05/03	REVISED
50	11/10/03	REVISED
51	11/15/03	REVISED
52	11/20/03	REVISED
53	11/25/03	REVISED
54	12/01/03	REVISED
55	12/05/03	REVISED
56	12/10/03	REVISED
57	12/15/03	REVISED
58	12/20/03	REVISED
59	12/25/03	REVISED
60	01/01/04	REVISED
61	01/05/04	REVISED
62	01/10/04	REVISED
63	01/15/04	REVISED
64	01/20/04	REVISED
65	01/25/04	REVISED
66	02/01/04	REVISED
67	02/05/04	REVISED
68	02/10/04	REVISED
69	02/15/04	REVISED
70	02/20/04	REVISED
71	02/25/04	REVISED
72	03/01/04	REVISED
73	03/05/04	REVISED
74	03/10/04	REVISED
75	03/15/04	REVISED
76	03/20/04	REVISED
77	03/25/04	REVISED
78	04/01/04	REVISED
79	04/05/04	REVISED
80	04/10/04	REVISED
81	04/15/04	REVISED
82	04/20/04	REVISED
83	04/25/04	REVISED
84	05/01/04	REVISED
85	05/05/04	REVISED
86	05/10/04	REVISED
87	05/15/04	REVISED
88	05/20/04	REVISED
89	05/25/04	REVISED
90	06/01/04	REVISED
91	06/05/04	REVISED
92	06/10/04	REVISED
93	06/15/04	REVISED
94	06/20/04	REVISED
95	06/25/04	REVISED
96	07/01/04	REVISED
97	07/05/04	REVISED
98	07/10/04	REVISED
99	07/15/04	REVISED
100	07/20/04	REVISED